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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

VICTORIA RYAN,

No. C 06-04812 PVT

Plaintiff,

STIPULATION AND JXXXXXXXXX) ORDER TO CLARIFY ADR REQUIREMENTS

v.

EDITIONS LIMITED WEST, INC., et al.

Defendants.

On November 29, 2006, the Court ordered the parties to participate in mediation through the Court's Alternative Dispute Resolution Program (ADR Program). As of July 10, 2007, the parties had not yet completed mediation, and the Court ordered the parties to participate in a settlement conference before the Honorable Richard Seeborg, United States Magistrate Judge. The parties completed that settlement conference on August 7, 2007.

22 On March 3, 2008, a telephone conference was held between Robin W. Siefkin, a staff attorney
23 with the ADR Program, and counsel for Plaintiff. Ms. Siefkin indicated that this action is still listed with
24 the ADR Program as being ordered to mediation, and requested clarification that the Court, by its July
25 10 order, intended for the parties to participate in the settlement conference instead of mediation, rather
26 than in addition to mediation. That is the understanding of all of the parties: the Court is no longer
27 requiring the parties to participate in mediation through the ADR Program.

In addition, on December 27, 2007, the Court ordered the parties to participate in a further settlement conference before Magistrate Judge Seeborg by January 31, 2008. The parties' reported to the Court that a settlement conference could not be scheduled before January 31. A case management conference was held on January 22, 2008, during which the parties reported to the Court that they did not believe a further settlement conference would be productive given the current posture of the case. It was the understanding of the parties that the Court is no longer requiring the parties to participate in a settlement conference before Judge Seeborg, or in any other ADR option.

With reference to the foregoing,

IT IS STIPULATED by the undersigned counsel for the parties that: the parties are not required to complete mediation through the ADR Program, a settlement conference before Judge Seeborg, or any other ADR option. Any current order requiring the parties to participate in any ADR option is vacated.

DATED: March 3, 2008

/s/ Richard A. De Liberty
Richard A. De Liberty
Attorney for Plaintiff

DATED: March ___, 2008

ISAACMAN, KAUFMAN & PAINTER, P.C.

Robert W. Woods
Attorneys for Defendants
Editions Limited West, Inc., and ArtSelect, Inc.

ORDER

Pursuant to the foregoing Stipulation,

IT IS SO ORDERED.

DATED:

United States Magistrate Judge

In addition, on December 27, 2007, the Court ordered the parties to participate in a further settlement conference before Magistrate Judge Seeborg by January 31, 2008. The parties' reported to the Court that a settlement conference could not be scheduled before January 31. A case management conference was held on January 22, 2008, during which the parties reported to the Court that they did not believe a further settlement conference would be productive given the current posture of the case. It was the understanding of the parties that the Court is no longer requiring the parties to participate in a settlement conference before Judge Seeborg, or in any other ADR option.

With reference to the foregoing,

IT IS STIPULATED by the undersigned counsel for the parties that: the parties are not required to complete mediation through the ADR Program, a settlement conference before Judge Seeborg, or any other ADR option. Any current order requiring the parties to participate in any ADR option is vacated.

DATED: March 3, 2008

/s/ Richard A. De Liberty
Richard A. De Liberty
Attorney for Plaintiff

DATED: March 9, 2008

ISAACMAN, KAUFMAN & PAINTER, P.C.

Robert W. Woods
Attorneys for Defendants
Editions Limited West, Inc., and ArtSelect, Inc.

ORDER

Pursuant to the foregoing Stipulation,

IT IS SO ORDERED.

DATED: March 6, 2008

Patricia V. Franklin

United States Magistrate Judge